

2003-62

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As a member of the firm of Kemp Klein in Troy , but speaking here only for myself, I find proposed Rule 4.2 regulating the conduct of attys , Alternative (B) to be entirely unacceptable. Such an amendment allowing government attys to communicate or to question a party , in either a civil matter or accused in a criminal matter, that is already represented by counsel, without the permission/consent of, and/or outside the presence of . the person's counsel, a striking backwards step in the protection of an accused's right to be defended properly and have the on-going advice of counsel. Such proposed Alternative (B) should be considered a step towards denial of due process and abhorrent intrusion into everyone's liberties. PLS do not approve such Alternative (B).

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